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ROYAL COMMISSION
INQUIRY INTO LABOUR DISPUTES

823

HEARINGS HELD AT

KINGSTON

VOL. NO.

11

DATE.

March 13, 1967

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Toronto, Ontario

IN THE MATTER OF The Public
Inquiries Act, R.S.O. 1960,
Chapter 323

- and -

IN THE MATTER OF an Inquiry
Into Labour Disputes

BEFORE: The Honourable Ivan
C. Rand, Commissioner,
at the Frontenac County
Courthouse, Kingston,
Ontario, on Monday, March
13th, 1967.

E. Marshall Pollock Counsel to the Commission

APPEARANCES:

Brockville and District Labour Council

Wm. F. Thompson
Mansel Payne

President
Vice-President.

Nethercut & Young Limited, Official Reporters, 48 York
Street, Toronto, Ontario. Per I.B. Netherby.



Kingston, Ontario,
Monday, March 13th,
1967.

--- At 2:00 P.M., the hearing commenced.

THE COMMISSIONER: Well, gentlemen, this is a renewal of the hearings that were held in Toronto some few weeks ago. I want you to feel at ease, to talk here as if you were talking in your own Lodge. We want to know what your views are on these questions; they are very important. Do not hesitate to say anything you feel you ought to say, it is our duty to listen to you. I would like to have you feel completely at home.

MR. POLLOCK: Mr. Thompson, I understand you are the spokesman and you have Mr. Payne with you?

MR. THOMPSON: That is right.

MR. POLLOCK: You are the President of the Brockville and District Labour Council?

MR. THOMPSON: Yes.

MR. POLLOCK: What position has Mr. Payne?

MR. THOMPSON: Vice-President.

MR. POLLOCK: Well, I might say at the outset we have both read your brief with considerable interest. The matter of presentation we will leave to yourselves. You can either go through it in summary fashion if you want or we can start in and discuss some of the points you mentioned in the brief, whichever is your preference.

MR. THOMPSON: I would like to say in submitting this brief I am not an expert. I am not competing with Dave Archer or Claude Joduin. I am only trying to express the opinion of our own local Labour Council and



1 Labour in our district.

2 THE COMMISSIONER: That is what we want.

3 MR. THOMPSON: I believe if you have read
4 the brief we are ready to answer the questions. There is
5 no use in reading it all through again.

6 MR. POLLOCK: To start off, on the second
7 page of your brief, you say that the Ontario Labour Re-
8 lations Act governs the collective bargaining of Trade
9 Unions and many of the provisions of the Act are restric-
10 tive, rather than permissive. The only thing I would sug-
11 gest is that they are probably restrictive on both the em-
12 ployers and the unions, is that the impression you tried
13 to convey?

14 MR. THOMPSON: It is our feeling when a col-
15 lective agreement is signed all provisions of that agree-
16 ment should be lived up to by both sides, but when anything
17 arises which is not covered by the contract signed by the
18 two parties, then either party should have an opening to
19 take wider action than what they have at the present time.

20 MR. POLLOCK: What do you mean, "not covered
21 by the collective agreement?"

22 MR. THOMPSON: We find, from time to time,
23 that things arise which are not in the contract at all.
24 Well, to put it plainly, we feel anything not covered by
25 the contract -- then we should be in the position of act-
26 ing as though there was no contract.

27 MR. POLLOCK: In short, if a term isn't
28 specifically set out in the contract, and if the employer
29 is not prepared to agree to the negotiation of that term,
30 you should be free to strike?



1 MR. THOMPSON: Right.

2 MR. POLLOCK: How do you treat the Manage-
3 ments Rights Clause that seems to sweep everything that is
4 left over into the traditional Powers of Management? The
5 Managements Rights Clause assumes that everything
6 covered by the agreement and what isn't given to the Union
7 remains in the terms of Management.

8 MR. THOMPSON: We can't agree with it.

9 MR. POLLOCK: You don't agree with it?

10 MR. THOMPSON: No.

11 MR. POLLOCK: The collective agreements you
12 are familiar with usually carry with them a pretty broad
13 Managements Rights Clause?

14 MR. THOMPSON: To a certain extent, but we
15 have found there are always things arising that neither
16 side have thought of.

17 THE COMMISSIONER: Can you mention any?
18 Just what has arisen in your experience?

19 MR. THOMPSON: In my own experience in our
20 own locality, I believe we have been very fortunate, there
21 are few of the cases, but in following the Labour through-
22 out Ontario and Canada, we have found -- I can't name any
23 right out at the moment -- we have found things arising
24 not covered by the contract and this should apply both
25 ways.

26 THE COMMISSIONER: How do you determine
27 whether something is covered by the contract or not
28 covered by the contract?

29 MR. THOMPSON: There again I believe after
30 you have fulfilled your agreement procedure that then you



1 have the opening that either side can act, if they believe
2 it is not covered.

3 MR. POLLOCK: Normally you would go through
4 the Grievance procedure in arbitration, and assuming the
5 arbitrator would find that the matter is not covered by
6 collective agreement, or subject to arbitration if it is,
7 it is found under Management prerogatives. The short an-
8 swer to this problem it seems to me is that you would
9 restrict the Managements Rights Clause. I know you tried
10 to do that but it is a question of practicalities. If you
11 can suggest some method of determining what areas are in
12 fact covered by the collective agreement, and what are not,
13 there are probably clear cases which are not covered by
14 the collective agreement with the exception of the residual
15 powers of Management -- automation, I suppose, is one of
16 the examples but again that is management of the work
17 force, and that is given to Management, isn't it?

18 MR. THOMPSON: To a certain extent, but it
19 depends on how far it is carried out.

20 MR. POLLOCK: Well then, you don't have to
21 have a very active imagination to conjure up all kinds of
22 circumstances where the Union could say, "This isn't
23 covered by collective agreement and we are going on strike."
24 It would pretty soon render the no strike provisions of
25 the Labour Relations Act and some collective agreements
26 pretty well meaningless.

27 MR. THOMPSON: My answer to this would be
28 that under the present arbitration laws, or the people
29 who handle arbitrations under the present system, are not
30 qualified. If we had totally qualified people to handle



1 arbitrations then it would be that the boys would not be
2 able to say the same thing. I don't believe our people
3 are fully qualified in the majority of cases to handle it.

4 THE COMMISSIONER: Have you had any exper-
5 ience yourself from which you would draw such a conclusion?

6 MR. THOMPSON: Well, I believe it applies to
7 arbitration and conciliation both. I would/^{say}seventy-five
8 percent of them may be on one side of the fence or the
9 other, but have never studied both sides, therefore, they
10 are qualified in lots of cases to speak for management and
11 this equally applied that they are qualified in cases to
12 speak for Labour; but seventy-five percent of them are not
13 qualified to speak truthfully and without favour to either
14 side.

15 THE COMMISSIONER: How would you suggest
16 such men be trained?

17 MR. THOMPSON: I think the Labour Relations
18 Board in the Government should take steps to see men are
19 trained to know both sides of the story.

20 THE COMMISSIONER: Have you any clear ideas
21 of how that could be done?

22 MR. THOMPSON: I believe we have many men in
23 Ontario and Canada who have worked on Labour side, gone
24 over to Management side and maybe worked for a few years.
25 For instance, we have a chap in our district right now,
26 one of the top Labour leaders in our district who has gone
27 to Management. If he has had a few years training on
28 Management side, wouldn't he be in a better position to
29 sit down as an arbitrator and clearly see both sides of
30 the story, rather than a man strictly Labour or strictly



1 Management all his life?

2 MR. POLLOCK: I think what you say has merit.
3 The problem is to find the people and to organize some
4 other method of training them in the skills of arbitration.
5 It is one thing to have an experience from the Labour
6 viewpoint and the Management viewpoint in some matters,
7 and another to be in a position to decide things and make
8 up their mind on some points. I think your point is well
9 taken on the question of arbitration.

10 There are -- I should say there has been a
11 trend to the appointment of county court judges to arbi-
12 tration boards, as you are aware, and they are certainly
13 impartial. You would, I think, quarrel with the fact
14 some have not had particular experience in Labour matters?

15 MR. THOMPSON: True.

16 MR. POLLOCK: But the chap you indicate hav-
17 ing that type of experience is a rare bird indeed?

18 MR. THOMPSON: I think there are plenty of
19 them coming out of Labour College today.

20 THE COMMISSIONER: The Labour College where?

21 MR. THOMPSON: In Montreal. I believe, if
22 I am not mistaken, there are forty-five to fifty percent
23 of those who have gone from Labour through the Labour
24 College in Montreal, who within a two-year period are
25 picked up by Management. Therefore I can see no argument
26 that we have not qualified people, if they have had the
27 experience in Labour and been good enough after Labour
28 College to be picked up by Management. I can't see where
29 there is much problem for the Labour Board or our Govern-
30 ment to pick them up and very quickly train them to be



1 qualified arbitrators.

2 MR. POLLOCK: You would suggest all the mat-
3 ters in dispute during the currency of a collective agree-
4 ment should be referred to an arbitrator, much the same as
5 the recommendations of the Freedman Report, which sugges-
6 ted those changes should be considered by an arbitration
7 board?

8 MR. THOMPSON: I think we have to find some
9 system -- my ideas may not be the answer -- along those
10 lines. We have to find them, neither the Unions nor Man-
11 agement want strikes so we have to find some system which
12 will overcome the problems on both sides, and this to me
13 is one of the possible ways it could be done, by training
14 the people to judge from both points of view. I am cer-
15 tain if Mr. Justice Rand came down to try and understand
16 the problems in my Labour Council, he would be lost. The
17 same if I took his position today I would be completely
18 lost. We have to have people trained as impartial judges.

19 THE COMMISSIONER: Impartial in relation to
20 what?

21 MR. THOMPSON: To both sides.

22 THE COMMISSIONER: What kind of problem?

23 MR. THOMPSON: Any kind. They have to be
24 neutral.

25 THE COMMISSIONER: Well, you don't mean to
26 say that people cannot grasp quickly any problem at all?

27 MR. THOMPSON: They can grasp it, but they
28 tend to lean to one side. If we had a dispute with the
29 hospital in Brockville, and you name an arbitrator on the
30 Board of Directors from the Kingston Hospital, it certainly



1 appears to me he will be a little bit partial to the hos-
2 pital's position.

3 MR. POLLOCK: I suppose if you name on the
4 other side, as a left bower, somebody who represents a
5 Union, you can expect him to jump one way as well?

6 MR. THOMPSON: Quite right.

7 MR. POLLOCK: So you have to name somebody
8 in the centre, the judge of the county court, he would
9 cast the deciding vote?

10 MR. THOMPSON: Yes, but does he know the
11 problems?

12 MR. POLLOCK: He will have an assistant on
13 the right to tell him about the problems of Management and
14 an assistant on the left to tell him about the problems
15 of the Unions.

16 MR. THOMPSON: How can the Union tell him?

17 THE COMMISSIONER: Can't you express the
18 problems in simple language?

19 MR. THOMPSON: How can a man express himself
20 who has never been through it?

21 THE COMMISSIONER: Why can't you express it,
22 you have been through it?

23 MR. THOMPSON: For instance, we have a case
24 in Brockville. Our people quite naturally are always say-
25 ing we should have representation on different boards, for
26 instance, the Parks Commission. Our people say they throw
27 away too much money. I have said this myself, but I sat
28 on the Parks Commission for two years. After that two
29 years I could get up and say, "This money is being well
30 spent, not thrown away." You can read books or do anything



1 you like but actual experience is the only answer.

2 THE COMMISSIONER: I wouldn't disagree with
3 any force to that, but the function of a man sitting in a
4 judicial position is to have the imagination to enable him
5 to understand the complicated points of view. The ordinary
6 man does not get that training at all. He is confined to
7 reviewing matters from one point of view only, that is the
8 point of view of his particular interest, so you have not
9 to select men like that. You have to select men with im-
10 agination. That is the one necessary qualification, but
11 given intelligence and imagination your problems are not
12 more serious than the ordinary problems of life, and to say
13 you can't state them clearly enough for an imaginative
14 person to understand, not only the ideas but the emotions
15 that accompany them, is placing too low a value on your
16 powers of description and explanation.

17 MR. THOMPSON: Well, I am sorry, sir, I can't
18 agree. I believe we have to, as far as Labour Management
19 problems are concerned, have people who are trained and
20 who have had the experience.

21 THE COMMISSIONER: Nobody will challenge the
22 statement that experience of some sort is most valuable,
23 but when you send a man to the Labour College in Montreal
24 what do you teach him there?

25 MR. THOMPSON: Labour-Management relations.

26 THE COMMISSIONER: What do you mean by Labour
27 Management relations?

28 MR. THOMPSON: I believe he is taught con-
29 siderably more from my understanding of it, of the functions
30 of Management, actually, than he is Labour. He is brought



1 up from all points of view of Labour to understand both
2 sides.

3 THE COMMISSIONER: I agree with you that he
4 is better able to understand it from both sides, but what
5 are the real problems that arise between Management and
6 Labour? What is the most significant and most important
7 thing, isn't it wages?

8 MR. THOMPSON: Definitely not.

9 THE COMMISSIONER: Not that?

10 MR. THOMPSON: I would never agree with that.
11 I have always condemned anyone who stood up and said wages
12 was an important item. Fringe benefits and working con-
13 ditions are more important than wages.

14 THE COMMISSIONER: Let us take these in
15 order, fringe benefits -- what fringe benefits have been
16 asked for in late years and have not been granted?

17 MR. THOMPSON: Certain pension plans.

18 THE COMMISSIONER: Just a minute, let us
19 take one at a time. Pensions -- what is the Government
20 of this country proposing now in the way of pensions?

21 MR. THOMPSON: This is only recently, sir,
22 we have come into this, but do you think that should be
23 taken into account? I still think today's standard of
24 living and the standards of living we are going to have
25 in the future, that our pension system is not high enough
26 or adequate. We have not only got to look at today but
27 look at the future. I have another fifteen or twenty
28 years to work. I am not worrying today if I drop dead,
29 I won't be worrying, but I am trying to think of what it
30 would be twenty years from now and the cost of living and



1 everything twenty years from now. It won't be near our
2 pensions and won't be adequate to meet the demands.

3 THE COMMISSIONER: What are the consider-
4 ations underlying any total productivity of a country? We
5 are all members of the community, the whole community is
6 producing material goods we look upon as necessary to our
7 lives. How are you going to determine how that should be
8 divided?

9 MR. THOMPSON: The only answer I can give to
10 that, sir, at the moment, I am not educated or qualified
11 to answer that. I am not an expert.

12 THE COMMISSIONER: I don't expect you to be.
13 I don't know that we have any, the problem is so difficult.

14 MR. THOMPSON: I feel in the years to come,
15 the next fifteen or twenty years, we are going to change
16 so much that half the people working today are going to be
17 able to do the work we are all doing today.

18 THE COMMISSIONER: And what is the means of
19 meeting that situation?

20 MR. THOMPSON: That is going to take experts.

21 THE COMMISSIONER: That is fair and frank.
22 You name that as one of the problems, name another and see
23 how frequently it occurs and with what difficulty its sol-
24 ution is effected.

25 MR. THOMPSON: Well, fringe benefits.

26 THE COMMISSIONER: What do you mean by fringe
27 benefits?

28 MR. THOMPSON: Working conditions.

29 THE COMMISSIONER: Take working conditions;
30 what working conditions in any work you are familiar with



1 are intolerable and should be changed?

2 MR. THOMPSON: I would not go so far as to
3 say intolerable.

4 THE COMMISSIONER: Name two or three actual
5 conditions which you complain about.

6 MR. THOMPSON: Safety.

7 THE COMMISSIONER: Well, we have factory
8 laws for safety in shops have we not?

9 MR. THOMPSON: We have laws in safety. We
10 have laws in compensation and they are just the same as
11 the Labour laws. They may be good if carried out the way
12 they were meant to be, but they are not carried out.

13 THE COMMISSIONER: You make that charge.
14 Let me have an example, it must be based on something.

15 MR. THOMPSON: I can give you one example of
16 a compensation case in our own factory, where ninety-nine
17 percent of the time there is oil all over the floor. This
18 chap slipped and hurt himself and his compensation claim
19 was turned down, so I requested an inspector to come down
20 and we had a local investigation, and the inspector came
21 in -- and this is what I disagree with -- he reported to
22 Management first. Management immediately took him off in
23 some other part of the factory while they phoned the fore-
24 man of this particular branch and by the time they brought
25 the inspector around everything was perfectly clean. This
26 is what is done in safety inspections. Instead of the man
27 walking into the plant unannounced and saying, "Both sides
28 can go to the devil, I am walking through."

29 THE COMMISSIONER: That condition has been
30 present, I suppose, for some time?



1 MR. THOMPSON: Yes.

2 THE COMMISSIONER: Was any complaint made by
3 the employees?

4 MR. THOMPSON: Complaints have been made.

5 THE COMMISSIONER: Are you in a position to
6 say complaints were made and ignored?

7 MR. THOMPSON: Yes.

8 THE COMMISSIONER: Was that brought to the
9 attention of the inspector?

10 MR. THOMPSON: That I couldn't answer. In
11 most cases we don't get a chance to speak to him. We don't
12 know it is the inspector. He is brought through by Manage-
13 ment and he could be a visitor as far as we are concerned,
14 a salesman or some one they are bringing through.

15 THE COMMISSIONER: It is not a matter that
16 is very frequent, is it?

17 MR. THOMPSON: For instance, sir, I will
18 give you an example and I am guilty. We have a standing
19 rule in our department that you must wear safety goggles.
20 I am guilty ninety percent of the time because I don't wear
21 them and nobody enforces it.

22 THE COMMISSIONER: Does a man of your stand-
23 ing and intelligence want to be forced by somebody to use
24 the ordinary precautions?

25 MR. THOMPSON: I am human too, I don't like
26 to put the big sides on. I am human, I don't say I am
27 right, I am wrong.

28 THE COMMISSIONER: You criticize Management
29 for that?

30 MR. THOMPSON: I criticize myself and



1 Management.

2 THE COMMISSIONER: Why do you have to have
3 a shepherd?

4 MR. THOMPSON: We are human, aren't we?

5 THE COMMISSIONER: Then why do you complain
6 about being shepherded?

7 MR. THOMPSON: Why do we have a policeman,
8 sir, we have signs that say sixty miles an hour so why do
9 we need policemen?

10 THE COMMISSIONER: We are human in that
11 sense. We have to have restrictions which you complain
12 about, that is exactly what you are complaining about, res-
13 triction.

14 MR. THOMPSON: If the restrictions are not
15 carried out according to the way they are laid down I com-
16 plain. If Management says to me, "There is a week off for
17 not wearing your safety goggles," I won't squawk. I took
18 a chance but when Management says, "Thompson, you are going
19 to do something," and I don't think it is right I will
20 squawk. That is why we are here.

21 THE COMMISSIONER: Tell me something which
22 has a real basis of complaint. What other things were you
23 told to do that you shouldn't be told to do?

24 MR. THOMPSON: Insofar as my own company is
25 concerned, I can't say I have been told to do things I
26 shouldn't.

27 MR. POLLOCK: Let us just for a moment turn
28 to another question. It is also on the second page in
29 which you point out the duty of the Labour Council which
30 is, I take it, a traditionally standard duty throughout the



1 Province of Ontario in assisting striking locals. The last
2 sentence of the second last paragraph concludes, "The
3 Labour Council is duty bound to assist the striking local
4 Union."

5 Now this assistance takes many forms, I take
6 it, and you will find many types of strike situations in
7 which you will probably be called upon to act. Does your
8 Council, or do you think it is the proper policy of the
9 Council to enquire into the merits of the strike, whether
10 it is legal or illegal, or whether perhaps the Union has,
11 for example, a case to make? Or, do you go ahead and do
12 what they ask you to do?

13 MR. THOMPSON: I am not speaking for other
14 Labour Councils, I am speaking for my own Council and we
15 certainly do investigate, and I think we have never had the
16 occasion but I can almost certainly say if some local went
17 out on a wildcat strike, or something, and was brought be-
18 fore our Council, I believe they would not get our support.
19 But if it is a legally justified strike they will get
20 every support we can give them.

21 MR. POLLOCK: What kind of support?

22 MR. THOMPSON: Moral, as far as we are able
23 to. Financially, which is going to be small as we are a
24 small Council financially.

25 THE COMMISSIONER: What do you stress to be
26 the most important of the assistance you give?

27 MR. THOMPSON: The moral support.

28 THE COMMISSIONER: Not the money support?

29 MR. THOMPSON: I don't think the money is
30 as important as the moral support.



1 MR. POLLOCK: On the bottom of Page 3 you
2 say, "This Council has been asked to help certain locals
3 and while this is financial support, we feel we should be
4 free to help any unionists." When you stress a legal strike
5 in the circumstances we discussed earlier, something during
6 the currency of the collective agreement and the union went
7 on strike to support its view, you wouldn't support it?

8 MR. THOMPSON: If it was an illegal strike
9 I am pretty sure, I can't say definitely, it would be a
10 vote of the membership, but I can say quite sincerely our
11 membership would not vote to support it. For instance, any
12 time there is a legal strike in the district, I appear on
13 the scene. We have a big sign I proudly put on the car
14 which states we are supporting them, but I am certain if an
15 illegal strike we would not support them, and we would not
16 appear with them.

17 MR. POLLOCK: How many in the last ten years
18 or so, how many strikes have there been in the Brockville
19 area?

20 MR. THOMPSON: Not over four or five.

21 THE COMMISSIONER: Were they very serious?

22 MR. THOMPSON: The longest one, I believe,
23 was five weeks. My own local, two years ago, was out for
24 two weeks.

25 THE COMMISSIONER: What were the real issues?

26 MR. THOMPSON: Fringe benefits, money.

27 THE COMMISSIONER: What do you think a fringe
28 benefit is put in there for, if not to obtain a higher re-
29 munereration?

30 MR. THOMPSON: To me a fringe benefit, and



1 I am only looking at it from one point of view, is secur-
2 ity for the future.

3 MR. POLLOCK: So is money for that matter.
4 If they gave you extra money you could invest it in a
5 Pension Plan or insurance. You may not get as much in
6 money because the company ties the employee to the plan,
7 as far as the pension is concerned, and it maintains a
8 certain security for the company. It is easier to nego-
9 tiate a package for a fringe benefit for a few cents.

10 MR. THOMPSON: I can't agree on that. I
11 believe no matter which way you cut your cake it is costing
12 the company money, whether they give it to you in your
13 hand in cash, or whether they give it to you in benefits.

14 MR. POLLOCK: In some of the benefits the
15 company gets some of the icing to themselves because it
16 ties the employees to the pension plan, or other benefits
17 while he is the employee of the company. If it is money
18 that is paid, a chap is free to go with all the benefits
19 collected in his hand.

20 MR. THOMPSON: You must look at it with the
21 view we do in the unions. You want some security for the
22 years of service you have given a company. In other words,
23 if a company comes along and says, "Thompson, here is ten
24 cents an hour," the chances are ninety-nine out of one
25 hundred I will spend it.

26 THE COMMISSIONER: Because you are human.

27 MR. THOMPSON: But if I get it in a fringe
28 benefit it is there for me in future years. It is growing.

29 THE COMMISSIONER: That is another argument
30 for the shepherd.



1 MR. POLLOCK: You stress in your brief in the
2 question of picketing around a strike-bound plant, the
3 information aspect. How significant is the information
4 aspect of picketing in a small community? I don't mean
5 this disparagingly of Brockville where I am sure pretty
6 well everybody knows when a strike is coming off.

7 MR. THOMPSON: I think it is a big issue.
8 Picketing gives the public -- lets the public know rather
9 -- I should say, that there is a strike on. Picketing in
10 most cases, I would say, is observed by other trade un-
11 ionists.

12 THE COMMISSIONER: Do you think anybody in the
13 city when a strike is on such as you describe, is not
14 aware of it, that is anybody interested in matters of
15 this sort?

16 MR. THOMPSON: The answer I will try to give
17 to that, sir, they are aware of it to a certain extent
18 but do they pay attention?

19 THE COMMISSIONER: What would be the result of
20 paying attention? How would they influence it for you or
21 the other party?

22 MR. THOMPSON: Well, sir, if I drove down from
23 here to Brockville and I saw a sign that says sixty miles
24 an hour, I would not worry too much if I was doing seventy,
25 but if I see the ghost car coming along the road or sit-
26 ting on the side of the road, I will pay more attention
27 to it. If a plant goes out on strike --

28 THE COMMISSIONER: You will notice it because
29 you are a Labour leader.

30 MR. THOMPSON: Everybody does.



1 MR. POLLOCK: Is it because you have fear, or
2 something or other?

3 MR. THOMPSON: To a certain extent, but if you
4 stick a picket sign up people pay no attention to the
5 sign, but if they see a human body walking up and down
6 there, they pay a lot more attention to it.

7 MR. POLLOCK: Why?

8 MR. THOMPSON: Human nature, I guess.

9 MR. POLLOCK: You ascribe everything to human
10 nature.

11 You are talking about something more than the
12 mere communication of the idea the plant is on strike.
13 Just in the same way you know the speed sign is there and
14 prohibits speeding; the same as your instructions to
15 wear safety goggles which you disregard. So I assume if
16 Management were standing by your shoulder while you were
17 working and said, "Unless you wear safety goggles you
18 will have a week's vacation at your expense," you wouldn't
19 wear the goggles. It is not simply the communication
20 that the strike is going on there, it is the communication
21 of the unspoken word, "If you cross this line I will
22 break your head."

23 MR. THOMPSON: I disagree.

24 MR. POLLOCK: I expected you would disagree,
25 but tell me why?

26 MR. THOMPSON: There has been no word ever said
27 which I know of, in our district anyway, where we said we
28 would break anybody's head.

29 THE COMMISSIONER: What is your idea, exactly,
30 and feeling of what your privileges on a picket line



1 should be?

2 MR. THOMPSON: To discourage people from cross-
3 ing it, also to show the company and the general public
4 that we have the support of our Brotherhood, so they can't
5 turn around and say one or two men did it.

6 THE COMMISSIONER: If you want the support of
7 the membership you look first to the entire membership
8 going out on strike, don't you?

9 MR. THOMPSON: Right.

10 THE COMMISSIONER: You can tell whether you
11 have that or not?

12 MR. THOMPSON: I know, but do you know?

13 THE COMMISSIONER: I am not interested. I am
14 a third person. I see your signs but let us take a
15 strike of an industry, a second-line industry that is
16 making smaller fabrications for another company. I mean
17 a company that does not sell to the individual purchaser,
18 but whose function is to produce large-scale supplies to
19 be furnished to retailers. What is the public interest
20 in the internal affairs of that industry, say in Brockville?

21 MR. THOMPSON: Our storekeepers, our public,
22 the whole thing boils down to this, that Labour leaders
23 are always accused of and I believe, I think, some of the
24 press are here. After the convention held in Kingston
25 last fall there were big headlines in the papers that
26 Dave Archer says this and Dave Archer says that. They
27 forget, in fact, one paper -- I believe the Brockville
28 paper -- said Dave Archer is saying this to hold his job.

29 They forget that we, at that convention, had
30 told Dave Archer by vote to say these things and do these



1 things and it is the same in a strike.

2 If you put two or three men out there the public
3 thinks this is just what a few leaders, a few guys at the
4 top of the Union have to say, but when you see the major-
5 ity of the Union on the picket line the public knows it
6 is not the word of a couple of Labour leaders, it is what
7 the general membership wants or they wouldn't be there.

8 THE COMMISSIONER: Then you want a mass demon-
9 stration?

10 MR. THOMPSON: I see nothing wrong with mass
11 picketing.

12 THE COMMISSIONER: I am not saying there is
13 anything wrong with it, I am trying to find out what you
14 think you should be entitled to.

15 MR. THOMPSON: I think we should be entitled to
16 put every man who belongs to the Union, in a legal strike
17 we should be able to put him on the picket line.

18 THE COMMISSIONER: To do what?

19 MR. THOMPSON: Have a peaceful picket.

20 THE COMMISSIONER: What is a peaceful picket?

21 MR. THOMPSON: Walking up and down and carrying
22 signs.

23 THE COMMISSIONER: What about entrance to the
24 plant?

25 MR. THOMPSON: I think we should be able to, if
26 we can talk anybody going into that plant not to go in,
27 that is our privilege.

28 THE COMMISSIONER: How will you do the talking?
29 In what tone of voice and in the meantime will you have
30 stopped the person who will listen to you?



1 MR. THOMPSON: Naturally, I have always found in
2 our district anyway, when we were on strike that a truck
3 would drive up. We didn't have to tell him to stop. He
4 stopped, and we explained why we were out on strike and
5 asked him not to go in.

6 THE COMMISSION: Suppose he said, "Yes, I am
7 going to cross the picket line," what would you do?

8 MR. THOMPSON: I guess as far as I personally
9 am concerned there is not much I can do.

10 THE COMMISSIONER: How would human nature tend
11 to act? We can put this in the role of human nature?

12 MR. THOMPSON: I think ninety percent of any
13 local union will follow, probably, the orders they have
14 received. If they have been told, "Try and talk him out
15 of it but if he doesn't let him go." If those are the
16 orders, ninety percent will do it.

17 THE COMMISSIONER: That is the history of picket
18 lines?

19 MR. THOMPSON: As far as my experience is con-
20 cerned, that is what I am talking about.

21 MR. POLLOCK: What about the other ten percent?

22 MR. THOMPSON: That is where I disagree and why
23 we have the injunctions. I believe it is the duty of the
24 proper authorities, somewhat on the lines of the United
25 States, to pick up that individual who does it. Why should
26 I or three or four other union leaders be asked to have
27 absolute one hundred percent control over two thousand men?
28 There is always the hothead. If he does something wrong
29 why should we have to suffer? Why shouldn't the law take
30 care of it?



1 If I order, as a union leader, a man to go out
2 and throw a brick through your car window then yes, as
3 an elected officer the Union is to blame because they
4 have given me the position of president and I am to blame.
5 If I give order, as the union leader, that this is not
6 to be done and some hothead does it, it is the place of
7 the authorities to look after it as though the man were
8 a private citizen.

9 MR. POLLOCK: What do you think the chances are
10 of that activity occurring in a large group, as compared
11 to two or three or four or five or six people? Do you
12 think there is a greater likelihood it will occur in a
13 large number of people rather than a small number of
14 people?

15 MR. THOMPSON: I have to go along that with the
16 larger group the more the chances are, but you could pos-
17 sibly get more hotheads in ten people than you could in
18 two thousand.

19 MR. POLLOCK: Not by the laws of natural sel-
20 ection, and I think too you can have your executive there
21 -- and I assume none of the executive are hotheads -- if
22 you have a smaller number you can control them easier,
23 you don't need policemen. You can say people are watch-
24 ing. When you are singled out from two, three, four,
25 five or six people, people because of human nature are
26 not as prone to act quickly and rashly and throw a brick
27 through the window, but when it is dark or you are in a
28 large group with people milling around and shouting, a
29 lot of people do a lot of crazy things. That is what I
30 am asking you, do you think there is a greater likelihood?



1 MR. THOMPSON: Again we come down to the fact it
2 is not proving the union officers have given orders.

3 MR. POLLOCK: I am not asking to make anyone
4 liable for it. I am asking if there is a greater tendency
5 of that activity to occur, which you condemn, which occur
6 with a large number as opposed to a smaller number?

7 MR. THOMPSON: Again this is a question to which
8 I can't truthfully answer. You could have a small group
9 with a lot of hotheads, or a large group with very few
10 hotheads. I can't truthfully answer. We had five hundred
11 and fifty people out on strike and to my knowledge we only
12 had one hothead.

13 MR. POLLOCK: What happened in that circumstance?

14 MR. THOMPSON: We caught him in time and laid
15 down the law to him.

16 MR. POLLOCK: Did it cause you difficulty to do
17 that?

18 MR. THOMPSON: In this particular case it just
19 happened to be that some of the officers were present, but
20 they can't always be.

21 THE COMMISSIONER: What was the name of that
22 particular strike?

23 MR. THOMPSON: Philips Electrical.

24 THE COMMISSIONER: Was there an injunction
25 there?

26 MR. THOMPSON: No.

27 THE COMMISSIONER: So you say that was an order-
28 ly picket line?

29 MR. THOMPSON: Right.

30 THE COMMISSIONER: Do you think there would be



1 any picket order limiting in number the number of pick-
2 eters if all pickets were carried out in that manner?

3 MR. THOMPSON: I am not going to argue the
4 point and I may have my neck chopped off by the higher
5 boys in time. I am not going to argue the point if the
6 law is handled right -- I do not say Labour should be let
7 to run wild or there should be no law to control them.
8 I honestly believe there could quite possibly be instances
9 where such a thing as an injunction would be the best
10 means of controlling it.

11 THE COMMISSIONER: That is a fair statement.
12 You must remember and I mention this because it underlies
13 many paragraphs of your report, the courts issuing in-
14 junctions are carrying out the rules passed by the Legis-
15 lature. They have not created these things, the legis-
16 lators have. Your criticism, if you have any, is against
17 the Legislature, not against the courts.

18 MR. THOMPSON: It is our opinion that injunctions
19 should never be granted without a hearing.

20 THE COMMISSIONER: We can understand that.
21 That has been thrashed out pretty well and, I think, what
22 you would say is fully appreciated. But generally speak-
23 ing it happens that insofar as I can recall there has
24 been no case in which the preliminary injunction steps
25 were taken to set aside the preliminary injunction, on
26 the ground there was no basis in fact for its issue.

27 MR. THOMPSON: Sir, as a Labour man you probably
28 won't agree with me, but I am going to say there was no
29 basis whatsoever in Tilco for an injunction.

30 MR. POLLOCK: Were you in Tilco?



1 MR. THOMPSON: No, I wasn't.

2 MR. POLLOCK: Did you read the affidavits in
3 Tilco?

4 MR. THOMPSON: Yes, and if I can believe the
5 newspapers which were forwarded to me, my own personal
6 view is there was never any damage or anything done that
7 an injunction should have been granted, without even a
8 hearing.

9 MR. POLLOCK: The initial injunction was granted
10 without a hearing on the basis of affidavits relating to
11 certain obstructions to the entrances of the plant. Cars
12 wanted to get through and people jumped in front of them.
13 On the continuation of the injunction the injunction was
14 consented to by the Union limiting the number to four per
15 gate and three per door. That was a consent order. The
16 final injunction, the one that was breached and led to
17 contempt proceedings was some months later.

18 MR. THOMPSON: Again I have to disagree. That
19 was a particular demonstration as I call it. They did
20 not take part in the picket line, they demonstrated.

21 MR. POLLOCK: We are not talking about that.
22 In the meantime the courts have found they did. I am
23 talking about the particular injunction granted in the
24 first place and whether there were any facts to grant it.
25 There were certainly facts to grant the ex parte appli-
26 cation and the Union must have thought there were some
27 chances of success on the return of the motion to con-
28 tinue the injunction, because they consented to the order
29 limiting the number of pickets.

30 MR. THOMPSON: On what grounds? I believe you



1 said blocking the entrance.

2 MR. POLLOCK: Blocking the entrance and when
3 cars went through pounding on the car doors and fenders.
4 I didn't see what happened.

5 MR. THOMPSON: I didn't see it and didn't see
6 the affidavits to be quite truthful.

7 MR. POLLOCK: Your example that there ought to
8 be an injunction in Peterborough quarrels with the evi-
9 dence in the affidavits and quarrels with the attitude
10 that the Union involved agreed to the continuation of the
11 injunction.

12 MR. THOMPSON: It was the company that gave the
13 affidavits, was it?

14 MR. POLLOCK: Certainly.

15 MR. THOMPSON: So you are trying to say the
16 Union did not have them?

17 MR. POLLOCK: There was some evidence of it
18 and when it came to the time of the hearing for the con-
19 tinuation, the Union consented to the order. It did not
20 say this evidence is untrue or anything like that. It
21 didn't refute any claims made by the company. It agreed
22 there had to be an injunction here and there should be a
23 limitation of ten to two pickets.

24 MR. THOMPSON: What about the court drawing
25 injunctions that are issued ex parte, we will say, before
26 even a hearing?

27 MR. POLLOCK: That is the nature of an ex parte
28 injunction. They are all returnable within four days for
29 a hearing.

30 MR. THOMPSON: That is what we are against.



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1 Why should one side or the other --

2 MR. POLLOCK: We are getting off the point.
3 This whole discourse started on whether there were any
4 injunctions with no facts to support it. You suggested
5 Tilco. I suggest to you Tilco was a bad example.

6 MR. THOMPSON: I might have to agree with you.

7 MR. POLLOCK: In Brockville, I understand, and
8 in the past few years you have had a half a dozen strikes,
9 you have it by a report prepared by the Department of
10 Labour, under the direction of Dean Carruthers that there
11 have not been any injunctions in Peterborough?

12 MR. THOMPSON: In Brockville.

13 MR. POLLOCK: Sorry, in Brockville.

14 MR. THOMPSON: That is true.

15 MR. POLLOCK: You have not any first-hand know-
16 ledge of injunctions being granted in Brockville?

17 MR. THOMPSON: As my Vice-President just said,
18 we don't want them.

19 MR. POLLOCK: I think you must have some magic
20 touch in Brockville, or something.

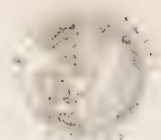
21 THE COMMISSIONER: It is the leadership.

22 MR. THOMPSON: It is not that we have had them,
23 but it is that we don't want them.

24 MR. POLLOCK: I suggest you have no fear of
25 getting them. If your activity remains peaceful in Brock-
26 ville you won't run afoul of them.

27 MR. THOMPSON: Nobody can guarantee that.

28 MR. POLLOCK: I suggest that is the policeman
29 or the shepherd keeping you in line. I think you should
30 be going around the country and proselyting to the



They should one side or the other --

MR. POLLOCK: We are meeting out the point.

This whole discourse started on whether there were any
indications with the facts as presented. You suggested
Tilco. I suggest to you Tilco was a bad example.

MR. THOMPSON: I don't have to agree with you.

MR. POLLOCK: In short, I understand, and
in the past few years you have had a half a dozen entities
you have to by a report prepared by the Department of
Energy, under the direction of least 100 persons that there
have not been any indications in past years.

MR. THOMPSON: In short, I understand.

MR. THOMPSON: That is true.

MR. POLLOCK: You have not any first-hand know-

ledge of indications being presented in short.

MR. THOMPSON: As my first-hand knowledge is not

so good, I want to know.

MR. POLLOCK: I think you would have a good idea.

There is no indication, as you know.

MR. THOMPSON: It is not a first-hand knowledge.

MR. POLLOCK: It is not a first-hand knowledge, and I want

to know that we don't know that.

MR. POLLOCK: I suggest you know to know of

getting to know. If your activity is not going to be back
while you are a top level of energy.

MR. THOMPSON: I understand, and I want to know.

MR. POLLOCK: I understand, and I want to know.

of the second level of energy, and I want to know.



1 people and telling the people your success in Brockville
2 in avoiding the wrath of the injunction.

3 THE COMMISSIONER: There is no doubt it is the
4 Management of the strikes that has obviated the necessity
5 of an injunction. An injunction isn't ordered as a mat-
6 ter of course. There has to be evidence as the rules are
7 laid down in the Statute. There has to be evidence of
8 certain conditions and the only reason for an ex parte --
9 which means simply I think one party before the judge --
10 the ex parte is necessary if there is any danger of in-
11 jury to person or damage to property of a serious kind,
12 or a public disturbance of the peace. These are the con-
13 ditions under which an ex parte injunction will be issued.

14 MR. THOMPSON: Excuse me, sir, if I sat here
15 and said I would punch you on the nose, could you bring
16 me into court?

17 MR. POLLOCK: You are already.

18 THE COMMISSIONER: If I were afraid you would
19 do it and we might be getting an assault, it isn't safe
20 to do that.

21 MR. THOMPSON: I can't understand that. How
22 can a man be guilty of something if he doesn't do it?

23 MR. POLLOCK: It is a question of how far along
24 the line you say it, or threaten to do it.

25 THE COMMISSIONER: Let me tell you something
26 that happened. I have no doubt you are in possession of
27 information about it, but there was a strike a few weeks
28 ago at Sault Ste. Marie, at the Steel Works, wasn't there?
29 There was a railway there that operates for the company
30 and the railway men refused to cross the picket line.



1 Did you read in the paper the reason they gave for the
2 refusal? One of the locomotive engineers said he had been
3 threatened with assault and battery and various other
4 things if he did not stop at that line. These things do
5 happen you know.

6 MR. THOMPSON: Sir, I can't agree with that en-
7 gineer. We have had strikes in Brockville and we have
8 always found that any engineer on the Canadian National
9 or Canadian Pacific would refuse to cross that picket line.
10 They did not even try.

11 MR. POLLOCK: Well, it is not a question of
12 agreeing or disagreeing.

13 MR. THOMPSON: I don't think anybody would have
14 to threaten him.

15 MR. POLLOCK: This is much of the same reason
16 you gave and that is the power of communication, and that
17 is the reason you want to have pickets to persuade people
18 not to cross your line and there are people who don't
19 agree with you. There are lots of people who don't agree
20 with me and I might try to persuade them but if they, the
21 people, are free to do what they want to do within the
22 limits of the law, they can go to work. If they went out
23 after listening to your argument they might say, I don't
24 agree with you, I am going to work. My wife wants me to
25 have a job and I am going to work. Isn't that element of
26 choice up to the individual?

27 MR. THOMPSON: No, not quite.

28 MR. POLLOCK: Really what you are saying is
29 that you want to persuade him reasonably. If you can't
30 persuade him reasonably you want to prevent him going in.



his own head in the past the same thing done for the
relatives. But in the following years, and he
discovered that even it and he was not
change if he had stop at that point. The friends of
himself were not.

There was a old story in the past. The old man
always said that any one who was not a man
or a woman would be a man. The old man was not
They did not say.
Mr. Johnson: Well, it is a story of
the old man.

Mr. Johnson: I don't know what you mean
to say.

Mr. Johnson: There is a story of a man who
was a man and there is a story of a woman who was
is the same as you want to know. The man was a man
not to know your life and there are people who are
and with you. There are lots of people who are
with us and I don't say to people that I don't say
people. I don't say to people that I don't say
times of the day. They are not the same. I don't say
and according to the old man. The old man was a man
and he was not. The old man was a man. The old man was
and I don't say to people that I don't say.

Mr. Johnson: I don't know what you mean
to say. I don't know what you mean to say.
I don't know what you mean to say.



1 MR. THOMPSON: To stop him going in within
2 reason. I am against beating him up or breaking his neck.

3 MR. POLLOCK: In the factory situation I have
4 given you, I have come to you on the line and you explained
5 to me the Union position and solidarity and all these
6 other things. I say, "Fine, but I am going to work."
7 What happens then?

8 MR. THOMPSON: The only thing you can do is let
9 them go.

10 MR. POLLOCK: All right, I am asking you.

11 MR. THOMPSON: But again we go back to the
12 point and this again is human nature. If you walk up to
13 me and there are only two of us there and we give you our
14 side of the story, you may say go to the devil and walk
15 in, but if there are two or three hundred out there you
16 might not do so.

17 THE COMMISSIONER: Why does he say that?

18 MR. THOMPSON: Because he is a little bit afraid.

19 THE COMMISSIONER: Because he is afraid it is
20 an intimidation. Don't consider that this is so described
21 for the purpose of disparaging your presentation at all,
22 we are trying to find out the realities of the picket
23 line.

24 MR. THOMPSON: Again I stick my neck out to get
25 it chopped off but what is anything in this life that is
26 not intimidation? What is a police force for? What are
27 our laws for? If you want to use the word loosely three-
28 quarters of our life is intimidation.

29 THE COMMISSIONER: And what does the law say
30 about that sort of intimidation? It says you are guilty



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1 of a crime and must be punished. It would make every man
2 in the picket line potentially guilty of violating the
3 law.

4 MR. THOMPSON: If you use the word loosely, the
5 policeman on the beat is an intimidation to me not to
6 create a crime.

7 MR. POLLOCK: That is not comparable.

8 THE COMMISSIONER: He ought to be looked upon
9 by you as one who safeguards you.

10 MR. THOMPSON: The word is discourage to me,
11 not intimidation. The policeman is there to discourage.
12 We are discouraging them by numbers, not to cross the
13 picket line.

14 THE COMMISSIONER: Not by numbers but by fear.
15 Do you think we would give any more weight to what you
16 are saying here today if you had the whole Brockville
17 Labour Council with you?

18 MR. THOMPSON: In your position maybe you
19 wouldn't, but ninety percent of the people would.

20 THE COMMISSIONER: Do you think numbers add
21 merit to your argument?

22 MR. THOMPSON: If not, why do we need a Union
23 then?

24 THE COMMISSIONER: What you need a Union for
25 is so that you would be able to stop the work in that
26 shop if they held together. You would stop the work with
27 one qualification and I am going to ask you about this.
28 What do you think about the appointment of strike-breakers?

29 MR. THOMPSON: I have one of the worst opinions
30 in the world. There wouldn't be half the fellows on the



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1 picket lines and half the people on the lines if Manage-
2 ment would not hire strike-breakers.

3 THE COMMISSIONER: Why don't you advocate the
4 abolition of the strike-breakers?

5 MR. THOMPSON: I think that is wonderful. It
6 would cut out half the problems.

7 THE COMMISSIONER: Why do you have people go to
8 work in a strike-bound plant?

9 MR. THOMPSON: Do you want a truthful answer?

10 THE COMMISSIONER: Yes.

11 MR. THOMPSON: Because ninety percent are too
12 lazy to work or are hired to do it.

13 MR. POLLOCK: What about people who go to work
14 at a plant on strike and stay the rest of their lives?

15 MR. THOMPSON: The percentage is very low be-
16 cause any man who wants a steady reliable job in our
17 country today I think can find it. He doesn't have to
18 go strike-breaking.

19 MR. POLLOCK: The company is saying I am looking
20 for so many machinists and those who can say it say, "I
21 am a machinist." The company says it will hire him under
22 those terms and conditions and he works. Let us divorce
23 ourselves from the professional strike-breaker and what
24 we are talking about. We are not talking of those people
25 who do exist or who work in the highly-skilled trades at
26 night in these plants, as suggested in the Toronto News-
27 paper strike. Let us divorce ourselves from that.

28 Let us have the people in a community. Let us
29 take Peterborough. I know a little about Peterborough.
30 Take these people who went into work at that plant and



1 are still working at that plant. They are average people
2 like you and I. They didn't come from anywhere but Peter-
3 borough and the only difference in the people of Peter-
4 borough at that time was that they didn't have a job.
5 They got a job, not highly skilled or which paid much
6 money but they were happy with getting a little money,
7 rather than not working. What is wrong with that?

8 MR. THOMPSON: I think there is a lot wrong
9 with it.

10 MR. POLLOCK: Tell me about it.

11 MR. THOMPSON: This goes back and I would like
12 to give an example, if I may, it goes back to a case in
13 our plant a few years ago. This was an immigrant who went
14 to the foreman and said, "Look, I will come in Saturday
15 and Sundays and work straight time if you need me." Our
16 contract says time and a half for Saturdays and double
17 time for Sundays. I don't care if the other fellow wants
18 to live on bread and water that is his business, but I
19 want the Canadian standard of living and I want to see
20 the wages in every classification across Canada so that
21 we can get the Canadian standard of living.

22 I don't care if the other guy comes in and gets
23 the same money I do, and he comes out and lives on bread
24 and water and puts his money in the bank, or pays fifty
25 thousand dollars for a house, or buys a yacht. I don't
26 want him going in there and undercutting me and lowering
27 the Canadian standard of living.

28 If these people in Peterborough went out on
29 strike for a decent standard of living and what I would
30 call "scabs" go in there and accept the jobs, which were



are still working at that place. They are average people like you and I. They didn't come from anywhere but Peter-

borough and the only difference in the people of Peter-

borough at that time was that they didn't have a job.

They got a job, not highly skilled or which paid much money but they were happy with getting a little money.

Things didn't get working. What is wrong with Peter-

borough? I think there is a lot wrong

with it.

MR. THORSON: Will you wait a moment?

MR. THORSON: This goes back and I would like

to give an example of it. I say, it goes back to a time

and passed a few years ago. This was an immigrant who went

to the town and said, "Look, I will come in tomorrow

and Sunday and work straight time if you need me. Our

contract says for a half for Saturday and Sunday

time for Sunday. I don't care if the other fellow wants

to live on bread and butter that is his business, but I

want the Canadian standard of living and I want to see

the wages in every classification across Canada so that

we can get the Canadian standard of living.

I don't care if the other guy comes in and gets

the same money I do, and he comes out and lives on bread

and water and gets his money in the bank, he pays fifty

necessaries for a house, or pays a rent. I don't

want him doing in there and undercutting me and lowering

the Canadian standard of living.

If these people in Peterborough went out on

striking for a decent standard of living and that I would



1 below the Canadian standard of living, they shouldn't be
2 there.

3 MR. POLLOCK: What is the Canadian standard of
4 living? Surely there are terrific differentials of what
5 an employee will make in one plant to what he would make
6 in another. There are all types of variables by the very
7 nature of the commodities produced.

8 MR. THOMPSON: I think we have to have an aver-
9 age. Surely we have the brains in this country. Surely
10 we have men who can think and will say how much per hour
11 a man with two children needs to have an adequate standard
12 of living. I don't care if I am working as a skilled
13 worker or a guy working on the street. The guy sweeping
14 the street still should get enough wages to cover the
15 standard of living.

16 THE COMMISSIONER: Would you mind describing
17 the standards the man on the street should be entitled to?
18 You know what I mean, I want the details of what this in-
19 volves?

20 MR. THOMPSON: I think the average working man
21 should be able to have some kind of a jalopy. I have only
22 got a 1960 car but I am happy with it.

23 THE COMMISSIONER: Let us take a man working
24 for the city as street labour. Let us have the details
25 of what would be necessary for his standard of living
26 which you have in mind?

27 MR. THOMPSON: All right, the standard of liv-
28 ing I have in mind is that he can drive a car, he can
29 have a T.V. and a fairly modern home. I would like to
30 see him own his own home but maybe he has to rent, but he



1 has a home with comforts. I would like to see that his
2 wife and children have enough to eat, that they have the
3 proper clothes -- I don't say evening gowns and all that
4 -- but the proper clothes so the children can go to school
5 and get the proper education. All those things are basi-
6 cally right.

7 THE COMMISSIONER: Can you give me an estimate
8 of the wages to enable him so to live?

9 MR. THOMPSON: I would say roughly an average
10 wage would have to be somewhere between a dollar-fifty
11 and two dollars an hour.

12 THE COMMISSIONER: What I would like to know
13 is what he should receive during a year. What is neces-
14 sary for that?

15 MR. THOMPSON: I would say between four and
16 five thousand dollars.

17 THE COMMISSIONER: Have you ever employed a
18 person?

19 MR. THOMPSON: No, sir.

20 THE COMMISSIONER: Does your Council employ
21 anyone?

22 MR. THOMPSON: No, sir.

23 THE COMMISSIONER: Labour does at times employ
24 people for business which it carries on?

25 MR. THOMPSON: Yes, sir.

26 THE COMMISSIONER: Do you think it would be
27 willing to give a man who has a function of that sort
28 five thousand dollars a year?

29 MR. THOMPSON: If we had the money, but we
30 haven't got it.



1 THE COMMISSIONER: That isn't answering the
2 question. Where do you suppose the money comes from?

3 MR. THOMPSON: It is going to come from the
4 people.

5 THE COMMISSIONER: In the form of taxes?

6 MR. THOMPSON: I have a little saying, sir, or
7 a little code by which I try to live. I don't care
8 whether you have two cars in your garage. I don't care
9 have
10 if you/a yacht in Lake Ontario. I don't care if you go
11 to Florida in the winter if you are my employer, because
12 the employer always has to be a step above the worker or
13 we wouldn't have an employee, but I can't see why you
14 should drive three cars and I can't have one.

15 THE COMMISSIONER: Why do you allow me to drive
16 two cars?

17 MR. THOMPSON: Because there always has to be
18 different levels.

19 THE COMMISSIONER: You agree -- let us start
20 there -- you are going to start at five thousand a year?

21 MR. THOMPSON: Between four and five thousand
22 for the working man.

23 THE COMMISSIONER: Yes, you would make that an
24 absolute bottom limit for a man who is looked upon as a
25 working man? We are all workers in this country, how
26 far would you carry that up? Take a machinist, a first-
27 class machinist.

28 MR. THOMPSON: It has to go up higher.

29 MR. POLLOCK: Are you really accomplishing any-
30 thing by starting at five thousand and pushing everything
up? The cost of living goes up and then this fellow that



1 was living on five thousand dollars has to go to six
2 thousand dollars, and the highly skilled machinist wants
3 to keep the wage adjustment between his skilled job and
4 the unskilled job.

5 MR. THOMPSON: That's an answer nobody in Canada
6 has today.

7 MR. POLLOCK: Nobody has that answer?

8 MR. THOMPSON: I for one would very much like
9 to know where it is all going to stop.

10 THE COMMISSIONER: There are others with you
11 and you are not alone in that. Why is the situation so
12 discouraging?

13 MR. THOMPSON: I am afraid you wouldn't agree
14 with me.

15 THE COMMISSIONER: I am asking you for your
16 opinion.

17 MR. THOMPSON: My opinion is this, you go out
18 and you invest a hundred thousand dollars in making water
19 jugs say. You sit down with pencil and paper and you
20 figure out that you want so much return on the one hun-
21 dred thousand, so much for the upkeep of the plant, so
22 much for the material, so much to pay the man that makes
23 it, and you say I want so much interest. When you get
24 it all figured out it means you ask five cents for a
25 glass and you make five percent on your money.

26 So I come along and say, "I am not going to
27 make a glass for five cents, I want ten." My views are
28 that you have all the rights in the world to jump the
29 price of that glass up five cents, but this is not being
30 done today. They are jumping the price to fifteen cents



1 and saying labour is to blame.

2 THE COMMISSIONER: What that does is to illus-
3 trate the difficulty of dealing with wages and prices
4 which they are having today in England. Why do you sup-
5 pose the British Government has intervened as it has?
6 Here is a Labour Government built up by men who carry on
7 the work of the land and they are now under absolute con-
8 trol of wages and prices and, if necessary, dividends.
9 Why has that been brought about? Not why, but for what
10 considerations?

11 MR. THOMPSON: I would imagine for the same
12 things I just mentioned and why, I think, that somewhere
13 -- and this is only my own view about this -- somewhere
14 along the line we have to have a government that will
15 step in and I don't care whether they say it is ten,
16 fifteen or twenty percent, but they will say to all big
17 business this is as far as you go and this profit is all
18 you can make.

19 Labour -- in time Labour will make its demand
20 -- but when labour catches up with the cost of living
21 they have no demands.

22 MR. POLLOCK: They have no reasonable demands.
23 Human nature makes demands. Would you suggest the govern-
24 ment say they have the power to state, "I am controlling
25 the price of your labour, you are only getting six thou-
26 sand a year?"

27 MR. THOMPSON: Not until he catches up to the
28 cost of living.

29 MR. POLLOCK: So the company will say the same
30 thing, "We will let you come in with price fixing as soon



1 as we catch up with what Labour is asking."

2 MR. THOMPSON: We must have the brains in this
3 country to figure out what is a fair profit.

4 MR. POLLOCK: You really don't want brains,
5 you want magic.

6 THE COMMISSIONER: I think we shall have a
7 short recess.

8 --- Short recess
9

10 MR. POLLOCK: Let us get back to one or two of
11 the points of your submission and what I understood a
12 picket line meant. Let me review the points I have noted.

13 One of the functions a picket has is to inform
14 the public there is a dispute. A picket line also has
15 the effect of communicating to trade union personnel
16 that there is a dispute on and that they will either
17 obey the trade union ethics and not cross the picket line,
18 or they won't. Thirdly you say there should be a large
19 number of people to indicate that you have support of
20 the membership so the people will know. When you say
21 that, apart from any intimidating aspect, this will in-
22 dicate to the public not just the leaders are organized,
23 the administrators, but there must be something more to
24 it if you get that many people out. Did I summarize this
25 correctly for you?

26 MR. THOMPSON: Yes.

27 MR. POLLOCK: Now, we were discussing the ques-
28 tion of why people go to work and cross a picket line.
29 Isn't the basic issue -- the basic reason -- they cross
30 the picket line economic? They are not out to defeat



1 you or steal your job because they dislike you. They are
2 out there to get a job on the basis of terms they think
3 attractive to them in their particular circumstances?

4 MR. THOMPSON: I can't agree with you. I have
5 the feeling they are out there to steal our jobs.

6 MR. POLLOCK: That is the effect of it. They
7 didn't travel around to steal people's jobs. They want a
8 job and if you leave it empty they want to fill it. If
9 you have a pool of water and stick your finger in it you
10 get a hole. When you pull your finger out the hole is no
11 longer there, the people will be there assuming the pos-
12 itions are attractive to go to work, they will go to work.

13 MR. THOMPSON: Who made the jobs attractive?
14 For instance I started at Philips at fifty-four cents an
15 hour. There were probably a good many people at that time
16 who would not have gone there at those wages. I have
17 worked hard to build the work up. Now it is at the at-
18 tractive stage, the fellow who wouldn't go when I went
19 at fifty-four cents, is going to cross and take an at-
20 tractive job I have worked hard to build up.

21 MR. POLLOCK: Isn't the basic economic theory
22 that the price of a commodity varies with its supply? If
23 there are a lot of people available for employment, the
24 rates of pay will be less than if you have few people
25 available for employment? If assuming in your example --
26 I agree with what you say -- that you through the years
27 have built up the value of the job through collective
28 bargaining, I don't quarrel with that. Maybe you have
29 done too good a job. Maybe your plant is too attractive
30 to other people who want to work, but you are not prepared



1 to work for two dollars an hour but other people are
2 prepared to work for two dollars an hour, and they will
3 take that job if you give it up. Maybe that is as much
4 as the market can bear for your type of work?

5 MR. THOMPSON: I don't believe it and I haven't
6 given up the job.

7 MR. POLLOCK: You have said to the employer,
8 "I won't work under these conditions."

9 MR. THOMPSON: I have only gone on strike.

10 MR. POLLOCK: You won't take the kind of money
11 the employer is prepared to pay?

12 MR. THOMPSON: Right.

13 MR. POLLOCK: He will offer that same kind of
14 money to anyone who works at that function. You are
15 saying he should not be allowed?

16 MR. THOMPSON: The man crossing the picket line
17 to get that work doesn't know what the employer can af-
18 ford to give. He doesn't know anything about fringe
19 benefits.

20 MR. POLLOCK: Maybe he doesn't care. He has
21 a job which is satisfactory and attractive to him. If
22 he can get more he will take more but now he is satisfied
23 to take this amount.

24 MR. THOMPSON: I answered that question before
25 when I said I didn't want anybody lowering my standard
26 of living. He is crossing that picket line to take less
27 than we, through unions and collective bargaining, have
28 figured was a standard of living we should have. If he
29 is willing to go across the picket line he is willing to
30 lower my standard of living.



1 MR. POLLOCK: I take it you are an employee of
2 Philips Electronics?

3 MR. THOMPSON: Philips Cable.

4 MR. POLLOCK: Now, do you make the highest amount
5 of money in the cable-making industry?

6 MR. THOMPSON: No.

7 MR. POLLOCK: Then you are really lowering the
8 standard of living for those people making more money?

9 MR. THOMPSON: Not necessarily, we are fighting
10 to climb up to them.

11 MR. POLLOCK: And those people are fighting to
12 get higher?

13 MR. THOMPSON: We are not accepting our stand-
14 ard but reaching for their standard.

15 MR. POLLOCK: This fellow who takes your job,
16 he will not be satisfied at it very long for two dollars
17 an hour either.

18 MR. THOMPSON: What proof have I of that?

19 MR. POLLOCK: Human nature.

20 MR. THOMPSON: If he crosses our picket line
21 and goes to work he is going in without a union and means
22 of collective bargaining.

23 MR. POLLOCK: What will happen?

24 MR. THOMPSON: They will go right back to where
25 we were before, probably.

26 MR. POLLOCK: As soon as you get to a level no
27 longer attractive to get people from outside, the employer
28 can't hire more employees. You can't depress it lower
29 than what people are willing to work for.

30 MR. THOMPSON: You can always find a few scabs.



1 MR. POLLOCK: Do you think that is true, that
2 people could fill their plant with people at the minimum
3 wage which is all a company is legally asked to pay?

4 MR. THOMPSON: I think they can.

5 MR. POLLOCK: And you think they don't do it
6 because they are altruistic instead for the benefit of the
7 Trade Union movement?

8 MR. THOMPSON: No.

9 MR. POLLOCK: Why don't they? Isn't it sound
10 business practice to get as much as you can for as little
11 as you can?

12 MR. THOMPSON: It may be sound business practice
13 but at the same time there is too much of trying to get
14 it at the other fellow's expense. In other words, if the
15 employer is trying, which is human nature I suppose, to
16 get cheap labour, it is almost human nature for me to
17 fight for a right standard of living. There are bound to
18 be people who don't care what their standard of living is
19 and are willing to live in filth.

20 MR. POLLOCK: We are not talking about this
21 kind of people. I don't think people getting two dollars
22 an hour live in filth. We are not talking thirty-five
23 cents as compared to two dollars. The people who would
24 work for approximately the same amount as you have been
25 for a couple of years, you don't transfer from filth, but
26 you are paying them with a raise that they are prepared
27 to work under your old conditions; conditions you are
28 dissatisfied with but they have been at a poorer job and
29 they are advancing.

30 MR. THOMPSON: How do they know what the



1 conditions are if they never worked in the plant?

2 MR. POLLOCK: The employer says what they are.

3 MR. THOMPSON: You can tell him the moon is
4 green if he has never seen it.

5 MR. POLLOCK: If I want to work in a plant and
6 somebody told me they would pay two dollars an hour and
7 I got a dollar twenty-five, I wouldn't stay there long
8 would I?

9 MR. THOMPSON: What's to prevent the employer
10 employing him for a week or two and afterwards to say it's
11 a dollar seventy-five?

12 MR. POLLOCK: He might lose all the people
13 working.

14 MR. THOMPSON: If they would go across the line
15 for two dollars they would probably accept a dollar
16 seventy-five, just the same as a chap willing to work
17 Saturdays and Sundays at the same rate.

18 MR. POLLOCK: The Union would be the bargaining
19 agent for those people.

20 MR. THOMPSON: We are not responsible for scabs
21 that cross the picket line.

22 MR. POLLOCK: You are responsible for every one
23 in the bargaining unit.

24 MR. THOMPSON: They are not. They haven't
25 paid initiation fees.

26 MR. POLLOCK: It doesn't matter, you are still
27 the bargaining agent whether there are any members of
28 the unit. I am saying there are certain economic forces
29 that apply, that people will go to work not because they
30 are against you, but for themselves. They want to get



1 more money and improve their lot and they are not neces-
2 sarily different from the District Trade Unions. It may
3 be they will benefit from trade unionism and it may be
4 they will cause more militancy. In any event let us turn
5 to the next question.

6 You talk on Page 5 of the secondary picket, in
7 additioning to picketing at the plant site, to communicate
8 the information there is a dispute on. What is the nature
9 of the secondary picket which you contemplate?

10 MR. THOMPSON: To discourage, I would say, or
11 more to inform the public that certain products in cer-
12 tain stores are made at a plant that is on strike.

13 MR. POLLOCK: To inform the public, for example,
14 if your plant was on strike and I wanted to buy some wire
15 cable for my ship -- I imagine you can use wire cable on
16 a ship, hawsers and things like that -- and I went to a
17 ships' chandler and he sold Philips wire, then you would
18 have a picket outside saying, "Don't buy Philips' wire."

19 MR. THOMPSON: We wouldn't tell you what to buy,
20 just don't buy Philips.

21 MR. POLLOCK: But don't buy from this store?

22 MR. THOMPSON: That is true.

23 MR. POLLOCK: Would you confine it to the pro-
24 duct you are striking against or the store? This store
25 sells all kinds of wire.

26 MR. THOMPSON: Just the products we are on
27 strike against. Why should I concern myself if he is
28 selling paint from Sherwin-Williams? It is no concern
29 of mine about Sherwin-Williams, they are not on strike.

30 MR. POLLOCK: I suppose the argument is that



1 if you could put some pressure on the retailer by loss of
2 profits, generally he will go back to Philips and say
3 settle with these people?

4 MR. THOMPSON: I have never heard of it being
5 done. I have heard them picketing the plant on strike but
6 never picketing the stores.

7 THE COMMISSIONER: I don't follow that.

8 MR. THOMPSON: I didn't hear of any Union on a
9 secondary picket against anything a certain store sold.

10 THE COMMISSIONER: They picket the premises, if
11 the picket line is respected --

12 MR. THOMPSON: They are not asking the people to
13 cross the picket line.

14 THE COMMISSIONER: They picket in order to
15 bring the employees out?

16 MR. THOMPSON: They are informing the public
17 certain products sold by the store, that the employees are
18 on strike against the company.

19 THE COMMISSIONER: It seems to me that is the
20 weakest of your contentions. I don't think the public pays
21 much attention to them at all.

22 MR. POLLOCK: Do you have any experience with
23 secondary picketing as to whether people will be affected
24 by a picket line, or I suppose you could run an advertise-
25 ment in a newspaper the same way and say, "Don't buy X
26 brand soap because Lever Bros. are on strike." Do you
27 think people are that interested in it? If people will
28 cross the picket line on a job site for an economic pur-
29 pose of getting money, do you think it will make a differ-
30 ence to the housewife that bought brand X because it was



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1 on strike?

2 MR. THOMPSON: To the same class of people who
3 cross a picket line, no, but to the average it would
4 make a difference.

5 MR. POLLOCK: Do you think the average person
6 knows about strikes, why you are striking or really cares?
7 The average person who buys something in a store?

8 MR. THOMPSON: Definitely.

9 THE COMMISSIONER: In a small community it
10 might, not a large community.

11 MR. THOMPSON: I think you could take Toronto,
12 Hamilton, Windsor, any of those places and I think if
13 you went around and investigated the public you would
14 find seventy-five percent of the people are connected
15 with the Trade Union movement.

16 THE COMMISSIONER: Have you ever done it?

17 MR. THOMPSON: In our locality, no.

18 MR. POLLOCK: When there is a big strike on at
19 General Motors or a big automobile manufacturing plant,
20 do you find people don't buy cars any more, or say, "I
21 am not buying Ford because they are on strike?" If the
22 company can deliver the cars, don't you think they will
23 buy them?

24 MR. THOMPSON: A certain percentage would but
25 a certain percentage would not.

26 MR. POLLOCK: What is the good of quarrelling
27 with the fellow in the dealership when he hasn't got cars
28 to satisfy the need? The question of stopping production
29 at the primary level is not stopping the retailer. The
30 people who go to buy have much less enthusiasm for a



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THE THOMSON

Home Division

The Thomson Home Division

1914-1915

The Thomson Home Division

1914-1915

The Thomson Home Division

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The Thomson Home Division

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The Thomson Home Division

1914-1915

The Thomson Home Division



1 strike than somebody at a plant going to work there.

2 They are one degree removed.

3 MR. THOMPSON: They have less but they still
4 have a certain amount and it will affect to a certain
5 degree.

6 THE COMMISSIONER: Do you think a person who
7 has bought a certain type of car for a number of years
8 will be affected in the slightest by a strike at that
9 plant?

10 MR. THOMPSON: Definitely.

11 THE COMMISSIONER: If you can bring me one
12 instance of that I will give a considerable concession to
13 you.

14 MR. THOMPSON: He will not buy another make,
15 but he will delay the buying.

16 THE COMMISSIONER: They look upon these matters
17 as matters of course that come up every two or three years
18 but it is a matter of indifference to him except it may
19 raise the price.

20 MR. THOMPSON: It will not make him change the
21 brand but it will delay the buying of it.

22 THE COMMISSIONER: Why?

23 MR. THOMPSON: The majority --

24 THE COMMISSIONER: Perhaps you should mention
25 that human nature makes him indifferent to your quarrel
26 about prices?

27 MR. THOMPSON: I drive a Ford.

28 MR. POLLOCK: That is your misfortune, I suppose.

29 MR. THOMPSON: I may be thinking of buying a
30 new Ford. If I was informed that the Ford Plant was closed



1 down with a strike I don't say I would buy another car,
2 but I definitely would say I wouldn't buy a Ford while
3 the strike was on.

4 MR. POLLOCK: You don't have to say you "prob-
5 ably wouldn't", you couldn't get one. You made a state-
6 ment of cutting the dealer out of his business. How
7 could you hurt the dealer if he has some in stockpile?
8 People will buy them.

9 MR. THOMPSON: It doesn't matter in a strike,
10 even if no picket, somebody is always hurt. He happens
11 to be one that gets hurt a little.

12 THE COMMISSIONER: Strikes have been the inci-
13 dences caused by demands for higher wages and the general
14 public looks upon it as a ritual that will be observed
15 regardless of the circumstances. Maybe you can't profess
16 to know the percent of people influenced that way?

17 MR. THOMPSON: I can't agree on that.

18 MR. POLLOCK: If as you say the general public
19 are affected by this attitude that they are sympathetic
20 to a strike, why do you have people going in to find em-
21 ployment? Why doesn't one sign immediately close the
22 plant?

23 MR. THOMPSON: Because there are always, in any
24 society, a certain amount of people who don't agree. It
25 is immaterial to them, but the majority --

26 THE COMMISSIONER: There may be some people who
27 are hungry. That is possible you know.

28 MR. THOMPSON: In this day and age I don't think
29 anybody has to be.

30 THE COMMISSIONER: Oh, there are a great many



1 people. If you read the Toronto newspapers carefully,
2 you will run across many instances where people really
3 have not as much food as they would like to have and need.

4 MR. THOMPSON: Ten percent of those kind of
5 people quite possibly it is not of their own choosing,
6 but the other ninety percent, I think, and maybe I am
7 wrong, but personally I think it is of their own making.

8 THE COMMISSIONER: Maybe it is the making that
9 came later on the scene. They had a job, the company
10 went out of business and they are on the labour market.
11 Now, you are on a job you are not content with and you
12 would deprive that man of going to take your job because
13 he is prepared to work at the level you are living and
14 you say, "No, you can't do that." Where will they get
15 the jobs if jobs are getting smaller and smaller and fewer
16 and fewer? Where will these people get jobs?

17 MR. THOMPSON: I didn't make the statement jobs
18 are fewer. I made the statement half the people now will
19 be producing the same amount in a given plant in a few
20 years.

21 THE COMMISSIONER: That would inevitably reduce
22 the people employed and increase the number out of work.

23 MR. THOMPSON: We are always introducing things
24 that take up ninety percent of the slack.

25 MR. POLLOCK: I would hesitate to use that
26 figure in the light of all the concern today about auto-
27 mation and the subsequent unemployment being caused by
28 automation.

29 MR. THOMPSON: In some branches I would agree
30 with you.



1 THE COMMISSIONER: You do agree the employment
2 of the strike-breakers, as we call them, is a most import-
3 ant feature in the conduct of a successful strike?

4 MR. THOMPSON: Nobody crossing the picket line.

5 THE COMMISSIONER: That would apply to your own
6 group of strikers as well as the outside persons?

7 MR. THOMPSON: That would apply to my own bro-
8 ther as far as I am concerned.

9 MR. POLLOCK: Why would someone in the Union
10 cross the picket line?

11 MR. THOMPSON: The Union is composed of human
12 beings who are the same as any organization in the world.
13 Some of them don't care about themselves or anybody else.

14 MR. POLLOCK: Maybe they care about themselves.
15 They are satisfied with what they are getting and not
16 happy about going on an extended strike to get very little
17 more.

18 MR. THOMPSON: You, sir, I would imagine as a
19 lawyer, belong to the Law Association?

20 MR. POLLOCK: I have to.

21 MR. THOMPSON: Do you live by their rules?

22 THE COMMISSIONER: What rules?

23 MR. THOMPSON: Do you live by the law of rules?

24 MR. POLLOCK: I have to abide by the ethics of
25 the Law Association.

26 MR. THOMPSON: Why shouldn't a man in a union
27 live by the rules of the majority?

28 MR. POLLOCK: As long as I live by the ethics
29 they don't tell me what clients or anything else.

30 MR. THOMPSON: If the majority of the union



1 people say, by Democratic vote, we are going out on strike
2 it should be compulsory that every member of the Union
3 goes on strike, and has to obey the majority's wish, the
4 same as you have to obey the majority wish of your Law
5 Society.

6 MR. POLLOCK: There is not a parallel between
7 the Law Society and the Unions.

8 MR. THOMPSON: In any organization they have
9 certain conditions and certain rules and the majority, if
10 it is a Democratic organization, rule, whether you like
11 a certain piece of legislation or not.

12 MR. POLLOCK: I can quit the Union and go back
13 to work, can't I? If I disagree with the position taken
14 by the Union and want to go back to work I go back to
15 work, whether right or wrong. I am not asking, I am in
16 a position in the Union to know more than the people on
17 the outside, but I want to go in and get the job with
18 what the working conditions are.

19 MR. THOMPSON: You are tangling things up a
20 little to me. A few minutes ago you stated a guy decided
21 to go back to work and we still have to represent him.
22 Now you turn around and say he has the right to quit.
23 What good are rules and constitutions or anything else
24 if this happens?

25 MR. POLLOCK: Your constitution doesn't provide
26 you with how much money a person can make.

27 MR. THOMPSON: The collective agreement.

28 MR. POLLOCK: The collective agreement does
29 and the collective agreement has expired. You are on
30 strike. You can't go on strike before the collective



1 agreement expires legally.

2 MR. THOMPSON: Wait a minute, I believe if I
3 am not mistaken, our contract for most of us said the
4 contract will run on and would remain the same until one
5 party notifies the other.

6 MR. POLLOCK: The only time you can go on strike
7 is when you give notice and want to bargain, and you go
8 through the conciliation and the law regulating the work-
9 ing relationship of the employer and the employee is no
10 longer there. That contract has then expired. Why can't
11 the member if he is satisfied -- his needs are simpler --
12 and he wants to work for the ordinary conditions and wants
13 to pay for the conditional sale contract on his car and
14 T.V. and he doesn't want to lose these things -- he wants
15 his job, he wants to work and continue working. There are
16 those kinds of people, they are not mystery people, there
17 are people in the unions like that. Why can't you control
18 the membership of your union? Why can't you persuade them
19 to stand together in unity?

20 MR. THOMPSON: We can persuade ninety percent,
21 but you always have a few in any organization that --

22 MR. POLLOCK: If there are only a few you don't
23 have to worry too much. How many in your Union?

24 MR. THOMPSON: Five hundred and fifty.

25 MR. POLLOCK: If ten went back to work, there
26 wouldn't be much production, would there?

27 MR. THOMPSON: But you slowly break down one of
28 the fundamental ideas of trade unions and that is moral
29 support.

30 THE COMMISSIONER: If you have only ten percent



1 going to work, why are you worrying about it? That ten
2 percent won't affect the strength of your position with
3 the ninety percent and your relation to the Management.
4 They can't carry on the business.

5 MR. THOMPSON: It does to a certain extent be-
6 cause in the first place it opens your picket line.

7 THE COMMISSIONER: Do you want that line really
8 as a spectacle? If you close the plant to the extent of
9 ninety percent you have accomplished the substance of
10 your purpose, haven't you?

11 MR. THOMPSON: Yes.

12 THE COMMISSIONER: Then why are you worrying
13 about a picket line to draw attention?

14 MR. THOMPSON: To try and persuade people not
15 to go through.

16 THE COMMISSIONER: Then your picket line is
17 designed primarily to keep off strike-breakers as dis-
18 tinguished from scabs as you call them?

19 MR. THOMPSON: I figure they are in the same
20 class. Scabs are people going back to work from the
21 original work force and the strike-breakers are from out-
22 side employment.

23 THE COMMISSIONER: As I use the expression outside
24 people go into the plant. Now you have ninety percent
25 and the business cannot go on long on a ten percent com-
26 plement, so then the only purpose of the picket line is
27 to discourage strike-breaking?

28 MR. THOMPSON: Yes and to still inform the gen-
29 eral public that you are on strike.

30 THE COMMISSIONER: You don't need the general



1 public if you aren't producing anything. You have achieved
2 your object by stopping work.

3 MR. THOMPSON: You haven't actually achieved it
4 because they could have stockpiles. Ten people could be
5 shipping out weeks and weeks of stockpiles.

6 MR. POLLOCK: How long before the collective
7 agreement does it take somebody in the Union to realize
8 there is a stockpile? Do you as Chairman of the Union
9 Shop Committee, permit the employer to stockpile before
10 negotiation?

11 MR. THOMPSON: Do you really expect me to answer
12 that question? Do you expect me to say to you, or any-
13 body else, whether I do or not, where I will put myself
14 in the position of breaking the law by telling my Brother-
15 hood not to work overtime, or don't do this or that before
16 our contract runs out? Do you truthfully expect me to
17 answer that?

18 MR. POLLOCK: Let me ask you this, not personally.
19 I am asking you as a general man making a submission with
20 knowledge of a trade union movement. It is my understand-
21 ing and I know something about these matters, you don't
22 want the company to stockpile and it is difficult for the
23 company to stockpile, isn't it?

24 MR. THOMPSON: I wouldn't say it was. It all
25 depends on the product. There are certain products that
26 can't be and there are lots of products that can be stock-
27 piled.

28 THE COMMISSIONER: Don't you think these matters
29 can be adjusted very simply? You get your living out of
30 that industry, don't you?



1 MR. THOMPSON: Right.

2 THE COMMISSIONER: It must be carried on suc-
3 cessfully to enable you to continue to look forward to
4 a pension?

5 MR. THOMPSON: Right.

6 THE COMMISSIONER: And it involves economics,
7 risk, fluctuations of business and foreign entanglements,
8 wars, any of these things might happen and yet there are
9 two risks, your future and the risk of the property that
10 enables it to be carried out. So both you and Management
11 are fundamentally wrapped up in that industry to maintain
12 your interest for the future, aren't you?

13 MR. THOMPSON: Right.

14 THE COMMISSIONER: You recognize the fact the
15 risk that is taken in the expropriation of property to
16 them is a risk that is real and recognized?

17 MR. THOMPSON: Right.

18 THE COMMISSIONER: Do you take that into account
19 always when you make demands for increases of twenty,
20 thirty or forty percent?

21 MR. THOMPSON: I would not think any Union lea-
22 dership would ever advise their membership to put their
23 employer, where they earn their living, where you stated
24 their pension is, out of business. I can't see any Union
25 leaders ever advising the membership to do that.

26 THE COMMISSIONER: I should hope not.

27 MR. THOMPSON: To my knowledge any case where a
28 Union makes demands on a company they have certainly in-
29 vestigated and found out that company could afford to meet
30 these demands, or they wouldn't make the demands. They



1 would be hanging themselves.

2 THE COMMISSIONER: Have you ever thought of any
3 criteria or standards by which you could relate your de-
4 mands for remuneration? What is the basic? How do you
5 make your claims? What are the grounds of it in mention-
6 ing any particular percentage?

7 MR. THOMPSON: The main theory would be on the
8 profits that particular company has made.

9 THE COMMISSIONER: Have you always urged that,
10 because I understand, certainly in some cases, what you
11 say about your labour is this, "My labour is a commodity
12 which you buy."

13 MR. THOMPSON: That is right.

14 THE COMMISSIONER: It is only one, then, of a
15 great number of commodities. They have to buy their
16 material, this and that, and the other thing, in order
17 to complete the fabrication of what they produce, don't
18 they?

19 MR. THOMPSON: That is right.

20 THE COMMISSIONER: Why should they give you, a
21 slice of material, a commodity, any more consideration
22 than the purchase of any wood, coal or steel or anything
23 that is necessary to be bought as a commodity?

24 MR. THOMPSON: If the steel maker or the man
25 selling the coal -- if he doesn't want to ask for his
26 share of the profits made I can't help, but if I as one
27 of the commodities, wish to have a fair share it is my
28 prerogative to ask for it.

29 THE COMMISSIONER: Just remember he can buy or
30 not buy. You don't say he can hire or not hire. You say



1 we belong to the industry and we are striking but we
2 don't sever our relations with the company. You say, "we
3 maintain that we want to maintain it. We insist you en-
4 able us to maintain it." You are very illogical about
5 that. I think sometimes the whole Labour programme is
6 more or less defeated by its use of these slogans, which
7 they have never thought out.

8 I would not, if I were a Labour man, accept it
9 for a moment my labour is a commodity. I would say I was
10 personally associated with an activity that has for its
11 object the production of something the society of the time
12 and place thinks proper and sometimes necessary, but you
13 ruin your case when you talk about things you have not
14 thought out. I would say your labour is not a commodity
15 and cannot be dealt with as a commodity. Whether it can
16 be dealt with on the performance of partnership as you
17 relate now is a difficult question, because in Australia
18 where we have just had the privilege of reviewing their
19 whole system of Labour and Management, they have selected
20 a standard and maintain it almost completely, that your
21 remuneration must be related to the character, the quality,
22 the standard and other attributes of the work you perform.
23 Is it highly complex? Is it highly technical? Does it
24 require an exceptional man, or exceptional hand, or an
25 exceptional experience to go through? Those are the con-
26 ditions which determine the differentials which are ap-
27 plicable to the return to labour.

28 You mutilate that and everything else when you
29 talk about labour as a commodity like bread and butter.
30 I think you do not do yourself justice when you talk about



1 it as a commodity.

2 Have you any more that you would like to advance
3 here? We want to know what your views are.

4 MR. THOMPSON: I believe we have covered it.

5 THE COMMISSIONER: I want to thank you for
6 speaking as you have. What it does is reveal to any
7 Board, or Commission, at least the attitude of those who
8 are taking part in the leadership.

9 I agree with you that we ought to have more
10 training in relation to arbitrators as well as in relation
11 to Union leadership.

12 We have reached a time when the intelligence
13 of the society is of the first importance and I am afraid
14 in the absence of training that too often we ignore the
15 rights of other people.

16 You wouldn't say, I am sure, that Management
17 ought to be bound to pay you whatever you demand. Am I
18 right in assuming that?

19 MR. THOMPSON: Its give and take, but I feel
20 that the worker is entitled to a fair share of what he
21 produces.

22 THE COMMISSIONER: How do you define the word
23 "share"? That is what the man whom you might employ
24 would say to you and you would say, "of course, I can
25 give you a fair share, but look at the risk I take." The
26 only way to get at the fairness of these things is to see
27 the situation from all angles. I don't think Labour sees
28 it from all angles. I don't think Management sees it
29 from all angles. I think you are both confined to a
30 narrow view of your function in society.



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1 We have had the exchange of views and we are
2 very much obliged to you for giving them. Thank you.

3 MR. POLLOCK: The Commission stands adjourned.

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